

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

Priscilla Sterling, Raine Becker, Shawn
Miller, and John Bennett, individually and on
behalf of all others similarly situated,

Case No.: 3:22-cv-531-KHJ-MTP

Plaintiffs,

v.

The City of Jackson, Mississippi; Chowke A.
Lumumba; Tony Yarber; Kishia Powell;
Robert Miller; Jerriott Smash; and
Trilogy Engineering Services, LLC,

Defendants.

**DEFENDANT, TRILOGY ENGINEERING SERVICES, LLC'S MOTION TO STRIKE
PARAGRAPH 206 OF PLAINTIFFS' SECOND AMENDED CLASS ACTION
COMPLAINT FOR INJUNCTIVE RELIEF AND MONEY DAMAGES WITH JURY
TRIAL DEMAND**

Defendant, Trilogy Engineering Services, LLC (“Trilogy”), by and through undersigned counsel, and pursuant to Fed. R. Civ. P. 12(f) and L.U. Civ. R. 7, hereby files its Motion to Strike Paragraph 206 of Plaintiffs’ Second Amended Class Action Complaint for Injunctive Relief and Money Damages with Jury Trial Demand, ECF 101 (the “Complaint”), and in support thereof states as follows:

1. This lawsuit is about alleged lead contamination in drinking water provided by the City of Jackson (“City”) to its residents, including Plaintiffs. *See generally* Complaint [ECF 101]. The Complaint claims that the named Defendants – including Trilogy, the City, and related government employees – made decisions that allegedly led to Plaintiffs’ exposure to harmful levels of lead in the City’s drinking water.

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2. Plaintiffs assert two Counts against Trilogy: Count III for professional negligence and Count IV for negligence. However, Plaintiffs' allegations against Trilogy at Paragraphs 206 of the Complaint consist of impertinent, immaterial, and scandalous matters that have no relevance nor relationship to the claims set forth against Trilogy and are highly prejudicial to Trilogy's ability to defend itself against Plaintiffs' claims and should therefore be stricken from the Complaint.

3. In support of this Motion, Trilogy relies upon the supporting memorandum of law filed concurrently herewith.

WHEREFORE, Trilogy Engineering Services, LLC respectfully requests this Court to enter an Order granting Trilogy's Motion to Strike Paragraph 206 of Plaintiffs' Complaint as impertinent, immaterial, and scandalous, and for any further relief as this Court may deem just and proper.

This, the 22nd day of March, 2024.

Respectfully submitted,

By: /s/ Davide Macelloni
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CERTIFICATE OF SERVICE

I, Davide Macelloni, one of the attorneys for Defendant Trilogy Engineering Services, LLC, hereby certify that I have this day served a true and correct copy of the above and foregoing document by filing it using the ECF system which sent notice of such filing to all counsel of record.

SO CERTIFIED, this the 22nd day of March, 2024.

/s/ *Davide Macelloni*
Davide Macelloni, Esq.